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# NEWS RELEASE

Release Number: 57

Release Date: July 19, 2006

## **Supreme Court Approves Pay Increase for Court-Appointed Counsel in Capital Appeals**

### ***Pay Hike Also Applies to Habeas Corpus Proceedings***

San Francisco—Frederick K. Ohlrich, Court Administrator and Clerk of the California Supreme Court, today announced that the court has approved a \$10 per hour increase in compensation for counsel appointed to death penalty appeals and related state habeas corpus/executive clemency proceedings.

Effective July 1, 2006, the hourly pay rate will be increased from \$130 to \$140 per allowable hour. Compensation for counsel who are paid according to the optional fixed fee guidelines also has been increased by an equivalent percentage.

The United States and California Constitutions guarantee the right to counsel for all criminal defendants. The court-appointed counsel program is designed to meet this legal requirement for those defendants who cannot afford legal representation.

The pay increase is part of a Judicial Branch initiative to ensure that there are adequate numbers of qualified attorneys willing to serve as court-appointed counsel for the state Supreme Court and Courts of Appeal.

The new hourly and fixed fee rate increase will apply to all existing Supreme Court appointments as follows:

1. For those counsel appointed to capital appeals and related habeas corpus/executive clemency proceedings pursuant to the traditional, time-and-costs payment guidelines, the compensation rate has been increased to \$140 per hour for all allowable hours worked on or after July 1, 2006.
2. For those counsel appointed to capital cases and compensated pursuant to the "Guidelines for Fixed Fee Appointments, on Optional Basis, to

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Automatic Appeals and Related Habeas Corpus Proceedings in the California Supreme Court,” each of the three categories of appointment (appeal and habeas corpus/executive clemency representation combined; appellate-only representation; and habeas corpus/executive clemency-only representation) has been increased by approximately eight percent.

Counsel interested in seeking an appointment in a death penalty case will find information on the California Courts Web site at this link:

<http://www.courtinfo.ca.gov/courts/supreme/dpenalty.htm>

Additional information on the rate increase and the appointment process, including the qualifications for appointment pursuant to rule 76.6 of the California Rules of Court may be obtained from Robert Reichman, the court’s Automatic Appeals Monitor, at (415) 865-7016.

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